

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1715

Introduced by Assembly Member ~~De Leon~~ Fuentes

February 2, 2010

An act relating to state claims, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1715, as amended, ~~De Leon~~ Fuentes. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state accepted by the board. Existing law requires claimants to pay a fee of \$25 to file a claim against the state. Existing law also authorizes the board to assess a surcharge in an amount not to exceed 15% of the total approved claim. The fee and surcharge are to be deposited into the General Fund and may be appropriated in support of the board, as specified.

This bill would appropriate \$1,125,778.35 from various funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board. This bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the Budget Act items of appropriation identified in this bill to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2010.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law requires the California Victim Compensation and Government Claims Board to ensure that all claims that have been approved by the board and for which there exists no legally available appropriation, are submitted for legislative approval at least twice each calendar year.~~

~~This bill declares the intent of the Legislature to appropriate funds for the payment of claims allowed by the board.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. (a) The sum of one million one hundred*
2 *twenty-five thousand seven hundred seventy-eight dollars and*
3 *thirty-five cents (\$1,125,778.35) is hereby appropriated from*
4 *various funds, as specified in subdivision (b), to the Executive*
5 *Officer of the California Victim Compensation and Government*
6 *Claims Board for the payment of claims accepted by the board in*
7 *accordance with the schedule set forth in subdivision (b).*

8 *(b) Pursuant to subdivision (a), claims accepted by the*
9 *California Victim Compensation and Government Claims Board*
10 *shall be paid in accordance with the following schedule:*

11		
12	<i>Total for Fund: General Fund (0001).....</i>	<i>\$963,914.25</i>
13	<i>Total for Fund: Item 1900-517-0822</i>	
14	<i>Budget Act of 2010, Program 30.....</i>	<i>\$120.00</i>
15	<i>Total for Fund: Item 2660-001-0042</i>	
16	<i>Budget Act of 2010, Program 20.10.....</i>	<i>\$15,223.27</i>
17	<i>Total for Fund: Item 2740-001-0044</i>	
18	<i>Budget Act of 2010, Program 11.....</i>	<i>\$7,706.92</i>
19	<i>Total for Fund: Item 4260-601-0912</i>	
20	<i>Budget Act of 2010, Program 20.010.030.....</i>	<i>\$3,410.70</i>
21	<i>Total for Fund: Item 4440-011-0001</i>	
22	<i>Budget Act of 2010, Program 20.20.....</i>	<i>\$1,114.95</i>
23	<i>Total for Fund: Item 5180-111-0001</i>	
24	<i>Budget Act of 2010, Program 25.15.....</i>	<i>\$2,700.03</i>
25	<i>Total for Fund: Item 5225-001-0001</i>	
26	<i>Budget Act of 2010, Program 25.....</i>	<i>\$130,151.12</i>

Total for Fund: Item 7100-001-0185

Budget Act of 2010, Program 21..... \$1,194.46

Total for Fund: Item 8320-001-0001

Budget Act of 2010, Program 11..... \$242.65

SEC. 2. Upon the request of the California Victim Compensation and Government Claims Board, in a form prescribed by the Controller, the Controller shall transfer surcharges and fees from the Budget Act items of appropriation identified in subdivision (b) of Section 1 of this act to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2010. For each Budget Act item of appropriation, this amount shall not exceed the cumulative total of the per claim filing fees authorized by subdivision (b) of Section 905.2 of the Government Code and the surcharge authorized by subdivision (f) of Section 905.2 of the Government Code. For those items in subdivision (b) that do not reflect a Budget Act appropriation, the Controller shall transfer an amount not to exceed the cumulative total of the per claim filing fees authorized by subdivision (b) of Section 905.2 of the Government Code and the surcharge authorized by subdivision (f) of Section 905.2 of the Government Code. This amount shall be transferred for the support of the board reimbursements to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2010. The board shall provide a report of the amounts recovered pursuant to this authority to the Department of Finance within 90 days of the enactment of this act.

~~SECTION 1. It is the intent of the Legislature to appropriate funds for the payment of claims against the state approved by the California Victim Compensation and Government Claims Board.~~

~~SEC. 2.~~

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay claims against the state and end hardship to claimants as quickly as possible, it is necessary that this bill go into immediate effect.

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